

EAST DEVON DISTRICT COUNCIL
Minutes of a Meeting of the Council held
at Knowle, Sidmouth on Wednesday, 23 February 2005

Present:

Councillors:

Mrs A E Liverton (Chairman)

Miss V Ash	G K Liverton
Mrs M J Boote	S C Luxton
P W Burrows	Ms S M Merritt
D G Button	A T Moulding
G P Chamberlain	R Mudge
R H H Cross	B Nicholson
A E J Dinnis	Mrs H E Parr
P A Diviani	A S Pascoe
Lt Col A J M Drake	R C Peachey
Mrs C E Drew	Miss S M Randall Johnson
Miss J M Elson	A W J Reed
J E D Falby	T G Reeves
R G Franklin	Mrs L A Roden
K W George	Mrs M Rogers
A R Giles	N Rogers
J H Glanvill	N J Spence
Mrs P A Graham	Mrs P A Stott
M J L Green	Mrs B O Taylor
J P Halse	P C Townsend
Mrs M L Hardy	A J Toye
B C J Hughes	B J Toye
S Hughes	C H Wale
D R H Hull	Dr H W Waterworth
B O Ingham	A J Wilkinson
H J Jeffery	Mrs E E Wragg
D R A Key	S C Wragg

The meeting started at 6.30 pm and ended at 8.55 pm

***31 Appointment of Vice-Chairman for the meeting**

Councillor R Franklin proposed and Councillor R Peachey seconded that Councillor A Reed be appointed Vice-Chairman for the meeting in the absence of Councillor Mrs K Bamsey.

RESOLVED that Councillor A Reed be appointed Vice-Chairman for the meeting.

***32 Minutes**

The minutes of the meeting of the Council held on 8 December 2004 were confirmed and signed as a true record.

***33 Apologies**

Apologies for absence were received from Councillors Mrs K Bamsey (Vice-Chairman), Mrs R E Burrow, T A Cope, D J Cox.

***34 Councillors J Glanvill and Mrs E Wragg**

The Chairman warmly welcomed Councillors Glanvill and Mrs Wragg to the meeting following their recent indispositions and hoped that their health would continue to improve.

***35 Display in the Members' Area**

The Chairman urged Members to look at the display in the Members' Area which outlined the work of the Council's Education Ranger and gave examples of feedback from schools and youth groups.

***36 Pigeon Holes**

Members were reminded to collect their post from the pigeon holes in the Members' Area. The pigeon holes had been introduced as one of the measures to reduce the escalating cost of printing and postage.

***37 Sidmouth Town Ward – Returning Officer's report**

The report of the Returning Officer was received for the election on 27 January 2005 of a Councillor for the Sidmouth Town Ward at which Mrs F I Newth was elected to fill the vacancy caused by the death of Bernard Clark. The Chairman and Members welcomed Mrs Newth to her first meeting of the Council. Mrs Newth would be sitting on those Committees on which Councillor Clark had been a Member.

***38 Presentation of Business Excellence Certificates for Royal Warrant holders**

The Chairman welcomed and introduced Mr E West, Heraldic Artist of Uplyme and Mr M Roland, Wheelwright and Coach Builders of Colyton and who had been granted Royal Warrants in recognition of their valuable service to the Royal Household. The Chairman said that it was with pleasure that the Council awarded Mr West and Mr Roland EDDC Business Excellence Certificates in recognition of this achievement.

***39 Questions**

The Leader of the Council, pursuant to Procedure Rules No. 8.2 and 8.5, answered a supplementary question by Councillor A R Giles in respect of the availability of all or part of the Electoral Registers for East Devon.

The Portfolio holder – Economy, pursuant to Procedure Rules No. 8.2 and 8.5, answered a supplementary question by Councillor Giles in respect of how the attitude of staff to the possible introduction of car parking charges at the Council Offices at Knowle had been gauged.

*** 39 Revenue Estimates, Capital Programme and Council Tax**

The Leader of the Council presented the Revenue Estimates and Capital Programme together with proposals for the Council Tax for 2005/06.

The involvement of Members and Officers in the service prioritisation process was acknowledged. The process had graded services into priority bands. Particular thanks were extended to Councillor A Wilkinson and Simon Davey for the professional way in which the process had been organised. It was anticipated that next year's budget would be even more difficult and further hard decisions would have to be made.

* 39 **Revenue Estimates, Capital Programme and Council Tax cont/..**

Members were advised of communication from the Minister of Local and Regional Government stating that capping powers may be used if this was considered necessary. The proposed Council Tax increase had been 5.9% but the Leader stated that it would be a burden on the Council if its rate was capped and, in response, proposed an amended increase of 4.9%. Alternative schedules detailing Council Tax levels at a 4.9% increase had been circulated to Members prior to the meeting.

Members discussed proposed cuts to services and increases in charges. Representations from the public, including a petition from Honiton residents in respect of the proposed closure of certain public conveniences, were acknowledged. Members were reminded that they all had been given the opportunity to take part in the prioritisation process and that this had resulted in public conveniences not being the Council's highest priority. It was possible that some town and parish councils would take over responsibility for public conveniences in their parishes and consultation in this respect was continuing.

The following motion (in the names of Councillors D G Button, Mrs M A Rogers, G P Chamberlain, D R H Hull, T G Reeves, Mrs E E Wragg and S C Wragg) was proposed by Councillor Button and seconded by Councillor Mrs Rogers:

“Given the current financial situation in East Devon and proposed cuts to important services, and notwithstanding the recommendations of the Remuneration Panel, this Council resolves to accept a moratorium for the Financial Year 2005/06,

- On the payment of Members' Special Responsibility Allowances, and,
- A freeze on the level of Basic Allowance to Councillors.”

The motion was amended so that the savings being generated could be used to re-instate the £70,000 cut from the 2005/06 public convenience budget.

Members were advised that to comply with the prioritisation process, any additional funding available would be channeled into priority bands one and two and not into lower priority services. It was suggested that if a decision to cut low priority services was not faced now, a similar budget deficit would occur in 2006/07.

The motion and amendment were fully discussed, put to the vote and lost.

A recorded vote was requested. The following voted in favour of the motion and amendment:

Councillors: Miss V Ash, P W Burrows, D G Button, G P Chamberlain, J E D Falby, K W George, A R Giles, J H Glanvill, Mrs P A Graham, Mrs M A Hardy, D R H Hull, R Mudge, T G Reeves, Mrs L A Roden, Mrs M A Rogers, N Rogers, Mrs B O Taylor, A J Toye, B J Toye, Mrs E E Wragg, S C Wragg (21)

The following voted against the motion and amendment:

Councillors: Mrs M J Boote, R H H Cross, A E J Dinnis, P A Diviani, Lt Col A J M Drake, Mrs C E Drew, Miss J M Elson, R G Franklin, M J L Green, J P Halse, B C J Hughes, S Hughes, B O Ingham, H J Jeffery, D R A Key, Mrs A E Liverton, G K Liverton, S C Luxton, Ms S M Merritt, A T Moulding, J B Nicholson, Mrs F Newth, Mrs H E Parr, A S Pascoe, R C Peachey, Miss S M Randall Johnson, A W J Reed, N J Spence, Mrs P A Stott, P C Townsend, C H Wale, Dr H W Waterworth, A J Wilkinson. (33)

Councillors P W Burrows, Mrs M A Rogers, A R Giles and J E D Falby abstained from voting on the substantive motion.

* 39 **Revenue Estimates, Capital Programme and Council Tax cont/..**

- RESOLVED**
- (1) that the recommendations of the Executive Board Minute 167 of 9 February 2005 (relating to the Revenue and Capital Estimates) be approved subject to the amendment of a budget reduction of £56,820 of the £81,000 anticipated from the reduction of second home discounts being used to reduce the 2005/06 Band D Council Tax to £107.09, an increase of £5.00 or 4.9% over 2004/05.
- (2) that it be noted that at its meeting on 17 January 2005, the Executive Board calculated the following amounts for the year 2005/06 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:-
- (a) 55,703 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended by Local Government Act 2003 – Section 84), as its Council Tax Base for the year.
- (b) the amounts stated in column 3 of Schedule 1, as revised, attached calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area set out in column 1 of Schedule 1, to which one or more special items relate,
- (3) that the following amounts be now calculated by the Council for the year 2005/06 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-
- (a) £58,464,573 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act.
- (b) £44,759,530 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act.
- (c) £13,705,043 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 32(4) of the Act, as its budget requirement for the year.
- (d) £6,600,620 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed non-domestic rates, revenue support grant, increased by the amount of the sums which the Council estimates will be transferred in the year from its collection fund to its general fund in accordance with Section 97(3) of the Local Government Finance Act 1988.

* 39 **Revenue Estimates, Capital Programme and Council Tax cont/..**

- (e) £127.54 being the amount at 3(c) above less the amount at 3(d) above, all divided by the amount at 2(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council tax for the year.
- (f) £1,139,193 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
- (g) £107.09 being the amount at 3(e) above less the result given by dividing the amount at 3(f) above by the amount at 2(a) above calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council tax for the year for dwellings in those parts of its area to which no special item relates.
- (h) the amounts stated in column 5 of the schedule 1 attached given by adding to the amount at 3(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area specified in column 1 of Schedule 1 divided in each case by the amount at 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council tax for the year for dwellings in those parts of its area set out in column 1 of Schedule 1 to which one or more special items relate.
- (i) the amounts set out in Schedule 2 attached given by multiplying the amounts at 3(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.
- (4) that it be noted that for the year 2005/2006 the Devon County Council, Devon and Cornwall Police Authority and Fire Authority have stated the following amounts in precepts issued to the District Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

* 39 **Revenue Estimates, Capital Programme and Council Tax cont/..****Precepting Authority**

Valuation Bands	Devon County Council (indicative)	Devon & Cornwall Police Authority	Devon Fire Authority
A	£621.24	£79.75	£38.90
B	£724.78	£93.04	£45.38
C	£828.32	£106.33	£51.87
<u>D</u>	<u>£931.86</u>	<u>£119.62</u>	<u>£58.35</u>
E	£1,138.94	£146.20	£71.32
F	£1,346.02	£172.78	£84.28
G	£1,553.10	£199.37	£97.25
H	£1,863.72	£239.24	£116.70

(5) that, having calculated the aggregate in each case of the amounts at 3 (i) and 4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts set out in Schedule 3 attached as the amounts of council tax for the year 2005/2006 for each of the categories of dwellings shown in Schedule 3.

(6) that delegated authority be given to the Chief Executive in consultation with the Leader of the Council or the relevant Portfolio Holder to take all necessary action deemed appropriate including entering into new agreements or giving notice to terminate or otherwise vary any existing agreement to ensure the implementation of the 2005/06 revenue budget and avoid the probability of future overspends.

*40 **Minutes of Executive Board and Committees****RESOLVED**

1. that the undermentioned minutes be received and the recommendations approved

Executive Board	Minutes	138-183
Development Control	Minutes	55-65
Planning Inspections	Minutes	23-28
General Licensing Sub	Minutes	38-52
Housing Allocations	Minutes	22-25

2. that the undermentioned minutes be received, Executive Board (Min. No. 115 refers) having noted or accepted the recommendations with or without amendment:-

Communities Overview	Minutes	26-29
Economy Overview	Minutes	31-35
Environment Overview	Minutes	49-58
Strategic Overview	Minutes	27-30
Joint Communities and Environment Overview	Minutes	1-8
Joint Economy and Environment Overview	Minutes	1-4

***40 Minutes of Executive Board and Committees cont/..**

Arising from consideration of the above minutes:-

(a) Car Parking charges 2005/06 (Executive Board minutes 148 and 167)

The Leader acknowledged the compromise reached in respect of car park charges at Sidford which reflected the particular circumstances of this car park and the area it served.

(b) Extended delegation scheme for planning applications (Executive Board minute 155)

Following debate, the recommendations of the Executive Board were approved as printed. A letter from Councillor R Burrows, who was unable to attend the meeting, was tabled and acknowledged. Mechanisms were already in place for applications to be referred to Committee in cases when consultees, including Members and towns and parish councils, expressed concerns. When no response was received from consultees, it was assumed that no objection was raised.

Councillor A R Giles asked for his vote against this decision to be recorded.

(c) Development Control Committee – 7 December 2004

Councillor N Rogers to be added to the list of those present.

***41 Disciplinary Panel**

RESOLVED that Councillors D Button, Mrs P Stott and A Wilkinson be appointed to a politically balanced panel of 3 Members to consider disciplinary matters relating to statutory officers.

***42 Preferred name for the new community**

At the last meeting of the Executive Board (Minute 178 of 9 February 2005), Members considered a request from the Consortium of Developers of the new community for a suggested name. There had been limited public response for suggestions for a name and so the Board invited all Members to submit suggestions for names for consideration in advance of this meeting.

RESOLVED

- (1) that Procedural Standing Orders 4.1 (12) be suspended to allow Councillors to vote on names for the new community suggested at the meeting,
- (2) that the preferred name of Cranbrook be referred to the Consortium of Developers for consideration.

Chairman Date.....